

STATE OF NORTH CAROLINA
CHATHAM/ORANGE COUNTIES

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
FILE NUMBER: 21R

ADMINISTRATIVE ORDER

Pursuant to the inherent authority of the Court, as well as N.C.G.S. 15A-1034(a), whereby a judge “may impose reasonable limitations on access to the courtroom when necessary to ensure the orderliness of courtroom proceedings or the safety of persons present;” and

Whereas, the Court recognizes that a pandemic resulting from the rapid spread of COVID-19 exists in the State of North Carolina, and a recent rise in cases and increased transmissibility of variants, such as the Delta variant, present a continued and real health and safety risk to the unvaccinated and to the vaccinated;

And whereas, Chatham County and Orange County have resumed mask mandates in County buildings due to the current levels of local community spread of the virus;

And whereas, the public spaces within the Orange and Chatham County Courthouses are also spaces where larger numbers of people, some vaccinated and some not, may come into contact;

And whereas, the health and safety of the public, attorneys, law enforcement officers, witnesses and court personnel is of paramount importance to the Court;

NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED THAT:

1. Every person, whether vaccinated or unvaccinated, including, without limitation, all court personnel, probation/parole officers, law enforcement officers, attorneys, defendants, victims, witnesses, or other members of the public entering and/or remaining in any courtroom or other courthouse space accessible by the public, whether for magistrate, district or superior court, clerk of court, or any other reason, shall be required to wear a mask or other facial covering that covers at least the nose and mouth of the person at all times while present in such public areas. This provision applies to all publicly accessible places in the Chatham County Justice Center, Orange County Courthouse, Historic Orange County Courthouse, Chapel Hill Courtroom, Siler City Courtroom, and all satellite offices of the Clerks of Superior Court for each county.

2. A presiding judge may order or allow any person in the courtroom who is speaking to the court to remove their face covering while speaking so long as the person speaking is at least six feet away from any other person. A presiding judge may also, upon a determination of good cause and after considering all appropriate health concerns, exempt a defendant in a criminal case from the face covering requirement during the defendant's jury trial.
3. The Hiring Authority, Elected Official, Supervising Assistant or other employee-in-charge in the Office of the Clerk of Superior Court, Office of the Superior Court Judges, Office of the District Court Judges, Office of the District Attorney, Office of the Public Defender, Office of Community Corrections, Pre-Trial Release Office, Juvenile Court Counselors Office, or other court-related offices within the Chatham County Justice Center, Orange County Courthouse, or Historic Orange County Courthouse shall, in their discretion, determine whether masks or other facial coverings are required when only office personnel/employees are present.
4. While social distancing restrictions or requirements are not a part of this order, it is anticipated that a future order is likely to address a return to distancing requirements for the courthouses.
5. This Order shall be effective immediately upon filing with the Clerk of Superior Court and shall be effective until terminated by the joint order of the Chief District Court Judge and Senior Resident Superior Court Judge.
6. This Order shall be posted conspicuously on each courthouse door or near the front of the building. A copy of this Order in its entirety shall be made available to the public and the media for inspection. To assist with compliance, additional signage may also be employed on the front door, inside the courthouses, or outside the courthouses or around parking areas.
7. Any person who willfully fails to comply with the requirements of this Order shall be subject to CONTEMPT OF COURT and IMPRISONMENT up to thirty (30) days OR a FINE in the discretion of the Court.

This the 5th day of August, 2021.



Allen Baddour
Senior Resident Superior Court Judge

 (o.b.o. Chief District Court Judge Samantha Cabe)

Hathaway Pendergrass
Acting Chief District Court Judge